

**MINUTES OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH**

JUDGE: Hon. Bruce S. Jenkins

COURT REPORTER: Kelly Hicken

COURTROOM DEPUTY: Michael R. Weiler

INTERPRETER: None

CASE NO. 6-C-702 BSJ

Birmingham v. Equifax, et al

**RECEIVED**

**JAN 09 2008**

OFFICE OF U.S. DISTRICT JUDGE  
BRUCE S. JENKINS

Approved By: \_\_\_\_\_

**APPEARANCE OF COUNSEL**

Pla Ronald W. Ady  
Dft Donald E. Bradley  
Dft Richard F. Ensor  
Dft Steven K. Gordon  
Dft Dawn E. McFadden  
Dft Tom Burns

DATE: January 9, 2009, 9:35 AM - 1:35 PM

MATTER SET: All Pending Motions Hearing re: #79, #77, #67, #65, #69, #73, #147

( 4 hrs), Rm 420

**DOCKET ENTRY:**

Argument & discussion heard. Crt recesses 11:10 AM, reconvenes 11:30 AM. Argument & discussion continue. Crt rules:

- Grants, motion for summary judgment (#79).
- Grants, motion for summary judgment (#77).
- Grants, motion to dismiss Ctn 8 of Amended Cmplt (#67).
- Grants as to Ctn 9 & reserves on 4 & 6, motion to dismiss Ctns 4, 6, & 9 of Amended Cmplt (#65).
- Reserves upon, motion for summary judgment on Ctns 5, 7, & 10 of Amended Cmplt (#69).
- Grants in part, denies in part, motion to dismiss all Ctns of Amended Cmplt (#73).
- Provisionally denies, motion as to financial detriment.
- Reserves upon, motion to strike (#147).

Prevailing parties to prepare & submit proposed orders within 10 days.